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PTO/SB/05 (1/98) +

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UTILITY PATENT APPLICATION AND FEE TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. APPL0002

Date: November 14, 2001

Inventor(s): **Ethan George Russell, Stephen William Cote, Erkki Ville Juhani Aikas, Brian David Marsh, and John Bradley Chen**Title **METHOD AND SYSTEM FOR MONITORING THE PERFORMANCE OF A DISTRIBUTED APPLICATION**

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APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ X Fee Transmittal (BELOW)
2. ☒ X Applicant(s) claims small entity status. See 37 C.F.R. § 1.27.
3. ☒ X Specification (Total Pages 61)
4. ☒ X Drawing(s) (35 U.S.C. 113) (Total Sheets 8) [FORMAL]
5. ☒ X Oath or Declaration (Total Pages 3)
6. ☒ a X Newly executed (original or copy)
7. ☒ b X Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Item 5 below]
8. ☒ ii DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

9. ☐ Application Data Sheet. See 37 C.F.R. § 1.76
10. ☐ CD-ROM or CD-R in duplicated, large table or Computer Program (Appendix)
11. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
12. ☐ a. Computer Readable Form (CRF) b. ☐ Specification Sequence Listing on: ☐ i. CD-ROM or CD-R (2 copies); or ☐ ii. Paper c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

13. ☒ X Assignment Papers (cover sheet & document(s))
14. ☐ 37 C.F.R. § 3.73(b) Statement (when there is an assignee) _____ Power of Attorney
15. ☐ English Translation Document (if applicable)
16. ☐ Information Disclosure Statement (IDS)/PTO-1449 _____ Copies of IDS Citations
17. ☐ Preliminary Amendment
18. ☒ X Return Receipt Postcard (MPEP 503) (Should be itemized specifically)
19. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
20. ☐ NONPUBLICATION REQUEST: Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
21. ☐ Other: _____

22. **If a CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment:

Continuation _____ Divisional _____ Continuation-in-part (CIP) _____ of prior application No: _____

Prior application information: Examiner: _____ Group / Art Unit: _____

This application claims priority from previously filed U.S. Provisional Patent Application Serial No. 60/249,134, filed on November 16, 2000, the benefit of the filing date of which is hereby claimed under 35 U.S.C. § 119(e).

For CONTINUATION OR DIVISIONAL APPLICATIONS only: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Correspondence address below:

Ronald M. Anderson
LAW OFFICES OF RONALD M. ANDERSON
600 - 108th Avenue N.E., Suite 507
Bellevue, WA 98004

Telephone: 425-688-8816 Facsimile: 425-646-6314

METHOD OF PAYMENT (check one)		FEE TRANSMITTAL																																																					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number <u>01-1940</u> Deposit Account Name: <u>Law Offices of Ronald M. Anderson</u> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 & 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance		3. ADDITIONAL FEES (Continued) <table border="1"> <thead> <tr> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>Extension for reply within first month</td><td></td></tr> <tr><td>Extension for reply within second month</td><td></td></tr> <tr><td>Extension for reply within third month</td><td></td></tr> <tr><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>Notice of Appeal</td><td></td></tr> <tr><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>Request for oral hearing</td><td></td></tr> <tr><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>Design issue fee</td><td></td></tr> <tr><td>Plant issue fee</td><td></td></tr> <tr><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>Recording each patent assignment per property (times number of properties)</td><td>40</td></tr> <tr><td>Submission after final rejection (37 C.F.R. 1.129(a))</td><td></td></tr> <tr><td>Add'l invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>Other fee (specify)</td><td></td></tr> <tr><td>Request for reexamination</td><td></td></tr> <tr><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr> <td>SUBTOTAL (3)</td> <td>\$ 40</td> </tr> </tbody> </table>		Fee Description	Fee Paid	Requesting publication of SIR after Examiner action		Extension for reply within first month		Extension for reply within second month		Extension for reply within third month		Extension for reply within fourth month		Extension for reply within fifth month		Notice of Appeal		Filing a brief in support of an appeal		Request for oral hearing		Petition to institute a public use proceeding		Petition to revive - unavoidable		Petition to revive - unintentional		Utility issue fee (or reissue)		Design issue fee		Plant issue fee		Petitions to the Commissioner		Petitions related to provisional applications		Submission of Information Disclosure Statement		Recording each patent assignment per property (times number of properties)	40	Submission after final rejection (37 C.F.R. 1.129(a))		Add'l invention to be examined (37 CFR 1.129(b))		Other fee (specify)		Request for reexamination		Requesting publication of SIR after Examiner action		SUBTOTAL (3)	\$ 40
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1. BASIC FILING FEE																																																							
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Design filing fee																																																							
Plant filing fee																																																							
Reissue filing fee																																																							
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2. EXTRA CLAIM FEES																																																							
Extra Claims	Fee from below	Fee Paid																																																					
Total Claims	61 - 20 = 41 x \$9	=	\$ 369																																																				
Independent Claims	8 - 3 = 5 x \$42	=	\$ 210																																																				
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SUBTOTAL (2)	\$ 579																																																						
FEES (SUBTOTALS (1) & (2))		\$ 949																																																					
3. ADDITIONAL FEES																																																							
Surcharge - late filing fee or oath																																																							
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Non-English specification																																																							
TOTAL FEES ENCLOSED: \$ 989																																																							

Typed/Printed Name Ronald M. Anderson

Signature Ronald M. Anderson

Registration Number: 28,829

Date: November 14, 2001

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EL744183054US

Date of Deposit: November 14, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

KATHY L. PAULINO

(Name of person mailing paper/fee)

Kathy L. Paulino
(Signature of person mailing paper or fee)